

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:13-CR-101-MMD-(WGC)
11 ERIC MICHAEL WISE,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on June 18, 2014, defendant ERIC MICHAEL WISE pled guilty to
15 Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in
16 violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Memorandum in
17 Support of Guilty Plea, ECF No. 21; Change of Plea, ECF No. 22.

18 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
19 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal
20 Indictment and the offense to which defendant ERIC MICHAEL WISE pled guilty.

21 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
22 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 23 1. Sig Sauer .40 caliber semi-automatic pistol, serial number AL35866; and
24 2. any and all ammunition
25 (all of which constitutes "property").
26 ...

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 ERIC MICHAEL WISE in the aforementioned property is forfeited and is vested in the United States
7 of America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
10 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
11 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
12 name and contact information for the government attorney to be served with the petition, pursuant to
13 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
15 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
16 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
17 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
18 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
19 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
20 petition and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
22 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
23 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
24 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
25 official internet government forfeiture site, www.forfeiture.gov.


26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Greg Addington
5 Assistant United States Attorney
6 100 West Liberty Street, Suite 600
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED THIS 24th day of June 2014.

13 
14 _____
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25
26